

PRESS RELEASE

Erik C. Peterson
United States Attorney
Western District of Wisconsin
(608) 264-5158
TTY (608) 264-5006
www.usdoj.gov/usao/wiw

For Immediate Release

February 3, 2009

Contact Person

Laura A. Przybylinski Finn
Assistant U.S. Attorney

Madison, Wisconsin -- Erik C. Peterson, United States Attorney for the Western District of Wisconsin, announced that Mark Anderson, 38, Long Lake, Minn., and Steven Perkins, 48, Spicer, Minn., were each sentenced today by U.S. Magistrate Judge Stephen L. Crocker to one year of probation and 300 hours of community service for introducing adulterated butter into interstate commerce. Anderson and Perkins each pleaded guilty to that misdemeanor charge on August 29, 2008.

The evidence showed that in April 2003, Anderson and Perkins embarked on a project to process butter at a food plant in Iowa. An inspector with the Iowa Department of Agriculture inspected the butter and the process on April 23, 2003, and deemed it unfit for human consumption and refused to approve the process.

Anderson and Perkins disagreed with the inspector's conclusions and moved the project, including the butter, to Woodville Warehousing and Distribution in Woodville, Wis., where the process continued until May 16, 2003, when a Wisconsin Department of Agriculture Inspector went to Woodville following an anonymous tip of unlicensed food processing.

The inspector found that Woodville was engaging in an unlicensed butter

processing operation. The inspector specifically noted that the primary, secondary and tertiary butter packaging was exposed to environmental contamination and that dark particles appeared in the butter itself. In addition, the inspector found that some of the boxes containing butter had stickers on them indicating the butter was “inedible” and therefore not fit for human consumption. Finally, the inspector noted that there were no hand washing stations and that the equipment being used was not approved for dairy processing.

At that time, approximately 86,000 pounds of butter had already been shipped from Woodville to Minnesota. The inspector put a hold on approximately 200,000 pounds of butter that remained at Woodville in connection with this operation.

In sentencing Perkins and Anderson, Magistrate Judge Crocker said that the process appeared doomed from the start and that when “the wheels came off the truck” at the plant in Cresco, Iowa, Anderson and Perkins should have stopped it and never moved it to Woodville. The Magistrate Judge found that Anderson and Perkins lacked the common sense to cut their losses and mislead their partners at North Central Companies.

Woodville Warehousing and Distributing, LLC, was previously sentenced in connection with this case to one year of probation and ordered to pay a \$4,000 fine for its role in contaminating and adulterating butter that was processed and held for sale at the warehouse, and later shipped in interstate commerce. During his plea hearing, Ronald Reik, owner of Woodville, admitted that during an approximate three-week period in May 2003, Woodville engaged in the above-described butter processing

operation on behalf of Anderson and Perkins.

The charges against Anderson, Perkins and Woodville were the result of an investigation conducted by the Food and Drug Administration, Office of Criminal Investigations, and Wisconsin Department of Agriculture, Trade and Consumer Protection, with assistance from the Iowa and Minnesota Departments of Agriculture. The prosecution of the case has been handled by Assistant U.S. Attorney Laura A. Przybylinski Finn.

#